

Please forward assigned FOIA request to your Division Director so they can determine if request should be assigned to RA for responsive records. (This includes 6RA, 6RA-D and 6RA-DA.)

FREEDOM OF INFORMATION ACT REQUEST
06-FOI-00146-12

REQUEST DATE: December 05, 2011

REQUEST RECEIVED: December 29, 2011

REQUESTOR INFORMATION:

Machelle Lee Hall
Tulane Environmental Law Clinic
6329 Freret Street,
New Orleans, LA 70118

Email: Work Phone#504-862-8814
Fax: 504-862-8721

FEE CATEGORY: Other

*****SUBJECT*****

Transfer from HQ to R6 FEE WAIVER

Requesting information relating to Taylor Energy Company LLC's Decommissioning Work in Mississippi Canyon Block 20 in the Gulf of Mexico.

*****ASSIGNED OFFICE(s)*****

6EN
6PD
6SF
6WQ

DUE DATE: January 30, 2012

*****SPECIAL INSTRUCTIONS TO DIVISIONS*****

1. Always note Fee commitment by requester: \$ 25.
2. Call the requester with a fee estimate, if cost is expected to exceed amount committed \$ 25
3. Each Division must obtain Division Director or delegate concurrence on denial log before routing to ARA signature.
4. Send a copy of the response and cost information sheet to the FOIA Office (6MD-OE).

*****DO NOT WRITE IN THIS SPACE, FOR FOIA OFFICE USE ONLY*****

BILLABLE COST

	\$4.00	\$7.00	\$10.25	Pages	Other	TOTAL
6EN						
6PD						

RECEIVED

DEC 29, 2011

EPA REGION VI
Freedom of Information Officer

RCVD EPA REGION 4

2011 DEC -9 P 2:39

Tulane Environmental Law Clinic

FREEDOM OF
INFORMATION OFFICE
December 5, 2011



Via certified mail and e-mail (hq.foia.epa.gov)
National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

Control Number	4-FOI- 00/60-12
Response Due Date:	1/12/12
Fee Category:	Other
Assigned to:	POC: 64 SED OEA ce Other PB
Special Instructions:	Fee Waiver

Re: **Freedom of Information Act Request for Taylor Energy Company LLC's
Decommissioning Work in Mississippi Canyon Block 20 in the Gulf of Mexico,
Lease Number OCS-G 04953**

Dear Sir or Madame:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, the Tulane Environmental Law Clinic, on behalf of Apalachicola Riverkeeper, Atchafalaya Basinkeeper, Emerald Coastkeeper, Galveston Baykeeper, Louisiana Bayoukeeper, Louisiana Environmental Action Network, Paul Orr (in his capacity as the Lower Mississippi Riverkeeper), and Waterkeeper Alliance respectfully requests access to all documents or other materials relating to the following topic: Taylor Energy Company LLC's ("Taylor") decommissioning efforts in Mississippi Canyon Block 20, lease number OCS-G 04953 ("MC 20"). This request only covers documents produced after September 15, 2004. This request treats Taylor Energy Company and Taylor Energy Company LLC as the same entity, because they merged in January of 2006, and any search for records should do the same.

Specifically, Tulane Environmental Law Clinic requests access to any documents relating to the decommissioning of MC 20 including but not limited to:

1. Any documents relating to the specific wells required to be plugged or abandoned.
2. Any documents relating to the scope or duration of the decommissioning efforts.
3. Any documents relating to analysis of the probability of success of any decommissioning efforts.
4. Any permits, permit requests, permit modifications, permit modification requests, or any other authorization, request for authorization, or similar documents related to MC 20.
5. Any documents submitted by Taylor or any other person or entity in support or opposition to any permit related documents requested in part 4.

Tulane Environmental Law Clinic

6329 Freret St., Ste. 130, New Orleans, LA 70118-6231 tel/504.865.5789 fax 504.862.8721 www.tulane.edu/~telc

#1
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6. Any documents relating to analysis or consideration of the environmental impact of the decommissioning efforts or any report or document concerning the environmental impact of the efforts.
7. Any documents relating to the U.S. Environmental Protection Agency or any other agency's involvement in the decommission efforts.
8. Any documents relating to EPA's or any other agency's decision to charge Taylor with any fines, penalties, fees, or violations under the Clean Water Act, the Oil Pollution Act, the Resource Conservation and Recovery Act, or any other statute or regulation, due to any activity or occurrence at or near MC 20.
9. Any documents relating to any agreement, trust, or contract between EPA or any other agency and Taylor.
10. Any documents relating to any agreement, trust, or contract related to the decommissioning efforts of MC 20 between EPA or any other agency and BP; BP America; BP Exploration & Oil, Inc.; BP Exploration & Production, Inc.; or any other entity that is related to the decommissioning efforts.
11. Any documents relating to the deadline for completion of the performance of the decommissioning efforts, any documents detailing the satisfaction or failure to satisfy any deadlines, any requests from Taylor for extension of deadlines, and any responses to any requests for deadline extensions.

We respectfully request that all records be furnished without charge because "disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 522(a)(4)(A)(iii). The government's involvement with Taylor's decommissioning efforts affects all citizens residing on the Gulf Coast, which includes members of the Waterkeepers, and will contribute significantly to a better public understanding of how leaking and abandoned oil wells are decommissioned. The Waterkeepers have no intention of furthering commercial, trade, or profit interest with this information. The intended use or purpose of this information is to contribute to the public understanding of the governmental agencies involvement in the decommissioning of leaking and abandoned oil wells.

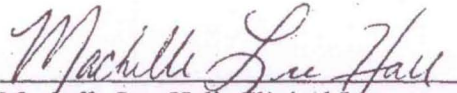
We are aware of and do not waive our rights under law: to receive a response to this request within twenty days, to be informed of the basis for any denial of this request, to appeal any denial, and to receive copies of excepted information from a document where other sections have been declared exempt from this request. If you intend to deny access to any records, we request a written explanation for the denial. If any records are deemed exempt from disclosure based on a claim of privilege or confidentiality, please provide the titles of the documents for which the privilege or confidentiality is claimed and an explanation of the claim.

FOIA Request
December 5, 2011
Page 3 of 3

If for any reason our request cannot be handled free of charge we request immediate written notification of the reasons behind the denial and an estimate of the cost that will be involved prior to any copying or reproduction of documents or other materials.

Thank you for your attention to this request. If you have any questions, please contact us by e-mail or telephone.

Sincerely,



Machelle Lee Hall, Clinical Instructor, SBN: 31498

Kevin Blodgett, Student Attorney

Jonathan Cardosi, Student Attorney

Paul Riermaier, Student Attorney

Counsel for Apalachicola Riverkeeper, Atchafalaya

Basinkeeper, Emerald Coastkeeper, Galveston

Baykeeper, Louisiana Bayoukeeper, Louisiana

Environmental Action Network, Paul Orr, and

Waterkeeper Alliance

Tulane Environmental Law Clinic

6329 Freret Street

New Orleans, LA 70118

Phone (504) 862-8814; Fax (504) 862-8721



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

CERTIFICATION OF ADEQUACY OF SEARCH ON
"NO RECORD" RESPONSES

I, _____, certify that I am employed by the Environmental Protection Agency, Region 6, in Dallas, Texas (or acting as a representative) as _____, that I am familiar with the records requested and/or that I am responsible for conducting the search for responsive records for Request Identification Number 06-FOI-_____, and that I have conducted an "adequate" search for responsive records by searching the below listed location(s) (as applicable):

- 1.
- 2.
- 3.

I further certify that I am aware that a search for responsive records need not be perfect, only adequate and that adequacy is measured and/or determined by the "reasonableness" of the effort of the search in light of the specific request. Specifically, I have searched for the documents in all places that it is practical for the documents to be located. Moreover, after conducting an adequate search for records on behalf of the

_____ Division/Unit, I have located no records responsive to this request or portions thereof. Further, I am attaching an itemized listing of all records which my search supports are not in the Region's possession.

Dated: _____, _____

Signature of Person Conducting Search

Dated: _____, _____

Signature of Designated Supervisor for
Person Conducting Search

Approved by OGC

STAFF CHECKLIST FOR TRANSMITTAL OF RECORDS/INFORMATION
06-FOI-_____

	YES	NO	N/A
Program has responsive records	_____	_____	_____
Searched all possible locations (hard copy/e-mail, files in workstation, file rooms, hard/flash/shared drives, CDs, blackberries etc.)	_____	_____	_____
Advised RFO/DFC of any special circumstances/sensitivity related to the FOIA Request	_____	_____	_____
Consulted with the FOIA Requester and/or RFO/DFC for further clarification of the request	_____	_____	_____
Completed "Certification of Adequate Search" form for "No Records" Response	_____	_____	_____
Completed Cost Sheet	_____	_____	_____
Provided responsive records to the assigned FOIA Specialist by due date on transmittal form	_____	_____	_____

Date: _____ Signature: _____ Ext. _____
Printed Name: _____ Office Name: _____

COMMENTS: _____

THIS FORM SHOULD BE COMPLETED AND RETURNED TO THE REGIONAL FOI OFFICER ALONG WITH THE RESPONSIVE RECORDS, A COST SHEET AND "NO RECORDS" CERTIFICATION FORM (IF NECESSARY), FOR EACH FOIA REQUEST PROCESSED

INTERNAL USE ONLY - DO NOT SEND THIS TO REQUESTER
Please read instructions on back before completing form.

FOIA FEE CALCULATION WORK SHEET

1. REQUEST NUMBER
06-FOI-

2. TYPE OF REQUESTER

3. DATE COMPLETED

4. ACTION OFFICE

NOTE: The Freedom of Information Act and EPA's regulations state that the Federal Government must obtain a fee commitment from a FOIA requester before billing can occur. So if no fee commitment is plainly given in the request letter or if other Divisions also have records, please contact the requester. Provide the requester with an estimate. Make sure the requester understands what program records you refer to and make a note of his/her fee commitment.

5. FEE COMMITMENT AMT

6. DATE OF VERBAL / WRITTEN COMMITMENT

7. FEE COMMITMENT RECEIVED FROM

8. CLERICAL PERSONNEL	TOTAL HRS	1/4 HOUR RATE	COST
a. Search - \$ 4.00 @ 1/4 HOUR		x \$ 4.00 =	
b. Review - \$ 4.00 @ 1/4 HOUR		x \$ 4.00 =	
9. PROFESSIONAL PERSONNEL	TOTAL HRS	1/4 HOUR RATE	COST
a. Search - \$ 7.00 @ 1/4 HOUR		x \$ 7.00 =	
b. Review - \$ 7.00 @ 1/4 HOUR		x \$ 7.00 =	
10. MANAGERIAL PERSONNEL	TOTAL HRS	1/4 HOUR RATE	COST
a. Search - \$ 10.25 @ 1/4 HOUR		x \$10.25 =	
b. Review - \$ 10.25 @ 1/4 HOUR		x \$10.25 =	
11. DUPLICATION / REPRODUCTION	TOTAL	RATE or ACTUAL	COST
a. Paper or Computer Page (2 sided copy = 2 pages)		x \$.15 pg =	
b. Diskette or CD (Specify) 3 CD's		x \$ 1.00 each =	
c. Microfiche		x \$ 1.00 / sheet =	
d. Microfilm		x \$10.00/ cartridge =	
e. Video or Audio Cassette (Specify)		x \$ 5.00/ each =	
g. Maps		x	
h. Photos		x	
12. OTHER COSTS	TOTAL	RATE or ACTUAL	COST
a. Computer Cost		x =	
b. Certifications		x \$25.00 =	
c. Special Handling - Overnight Mail		x =	
d. Other (Specify)		x =	
13. ACTUAL ADMIN. COST FOR NON-BILLABLE STAFF TIME	TOTAL	1/4 HOUR RATE	COST
a. Preparer's Name: _____ Grade/Step: _____		x =	
b. Preparer's Name: _____ Grade/Step: _____			

14. FOR FOIA OFFICE USE ONLY

a. TOTAL ADMINISTRATIVE / PROCESSING FEES _____ c. TOTAL CHARGED _____
b. TOTAL COLLECTABLE FEES _____ d. FEES WAIVED / REDUCED YES OR NO

INSTRUCTIONS FOR COMPLETING THE FOIA FEE CALCULATION WORK SHEET

Pursuant to the Electronic Freedom of Information Act Amendment of 1996, the Annual Report to Congress that all agencies are required to submit must include the administrative cost to implement FOIA.

The FOI Office will generate a bill for the requester but we also need your help to capture the actual administrative cost to process a FOIA request. Therefore, this worksheet is to be completed for all FOIA requests by all personnel involved in answering a FOIA request. Please complete the following information and return it to the FOIA Office along with a copy of the response letter. If you have any questions, please contact Leticia Lane at 214-665-7202 or lane.leticia@epa.gov.

1. REQUESTER NUMBER - e.g., 06-FOIA-0342-03.

2. TYPE OF REQUESTER

#1 Commercial Use Request: requester charged for search, review & duplication costs.

#2 Educational & Non-Commercial Scientific Institutions: requester charged for duplication costs excluding the first 100 pages.

#3 Representative of the news media: requester charged for duplication costs excluding the first 100 pages.

#4 All Other Requests: requester charged for search & duplication time excluding the first two hours of search time & the first 100 pages of duplication.

3. DATE COMPLETED - Enter month, day and year.

4. ACTION OFFICE - Mail code of responder.

5. FEE COMMITMENT AMT - fee commitment amount received from requester for the processing of FOIA request.

No Fee Charged for $\leq \$14.00$

Bills sent between \$14.01 - \$25.00, no payment assurance required

Written Assurance of payment from requester for amounts $> \$25.00$

6. DATE OF VERBAL / WRITTEN COMMITMENT - date when verbal or written fee commitment was given.

7. FEE COMMITMENT RECEIVED FROM - name of person from which you received verbal or written fee commitment.

8. CLERICAL PERSONNEL - enter total hours x hourly rate = cost.

a. Search - Time spent in locating the requested information.

b. Review - Time spent in reviewing the document content for releasable documents.

9. PROFESSIONAL PERSONNEL - enter total hours x hourly rate = cost.

Search/Review - see explanation above.

10. MANAGERIAL PERSONNEL - enter total hours x hourly rate = cost.

Search/Review - see explanation above.

11. DUPLICATION / REPRODUCTION - Enter Total x Rate or Actual = Cost.

12. OTHER COSTS - Enter Total x Rate or Actual = cost.

13. ACTUAL ADMIN. COST FOR NON-BILLABLE STAFF TIME
enter total x hour rate = cost

Time spent in activity other than above, such as hand carrying documents to other locations, restoring files, preparing ltr. telephone calls etc.

a. Preparer's Name is the person who prepares ltrs/telephone calls etc. Grade/Step is grade & step of preparer.

14. FOR FOIA OFFICE USE ONLY

a. Total Administrative / Processing Fees - add the actual administrative cost block in the cost column.

b. Total Collectable Fees - add the review / search blocks in the cost column.

c. Total Charged - enter the amount that the requester was charged.

d. Fees Waived / Reduced - indicate if the cost of processing the request was waived or reduced by circling yes or no.